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REGULATION

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CARE AND USE OF OFFICIAL DATA

Rescission: CIA Regulation No. []

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1. GENERAL

All information, classified or unclassified, received or compiled by the Central Intelligence Agency is official data and is the property of the U. S. Government. The restrictions and prohibitions provided in this Regulation apply not only to all intelligence information or matter, but also to any statistical, administrative, or general information regardless of the fact that such information already may be a matter of public record. This shall apply also to all official data used or compiled by CIA and obtained from outside sources, public or private. Termination of employment in the Agency will not affect employee responsibility under this Regulation.

2. POLICY

- a. Official data and information, classified or unclassified, will be limited in use to the performance of CIA official business only, and will not be copied or removed from the files of the Agency for release outside of CIA except by those officials authorized by the Director of Central Intelligence.
- b. The accumulation of copies of documents containing official data, classified or unclassified, for inclusion in a personal file, and the appropriation of such material for personal use or benefit is prohibited. Unclassified employment documents, such as Notifications of Personnel Action, Certificates of Membership in the Retirement System, Time and Attendance Reports and Pay Roll Change Slips, and similar personal official documents are excepted under the provisions of this Regulation.

3. STATUTORY REQUIREMENTS

- a. This paragraph contains extracts from statutes pertaining to espionage. They state the principles governing the care and use of official data and prescribe penalties of imprisonment or death for their violation. Under the provisions of Public Law 99, 83d Congress (18 U. S. C. 798), the wartime penalties for espionage are in effect until six months after the termination of the present emergency, or until such earlier date as may be prescribed by Congress. These extracts were taken from the United States Code, as indicated below:

(1) United States Code 2002/05/08 : CIA-RDP78-04718A001300120085-3

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"Section 793. Gathering, transmitting, or losing defense information

- "(a) Whoever, for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, fueling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, research laboratory or station or other place connected with the national defense owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers, departments, or agencies, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments for use in time of war are being made, prepared, repaired, stored, or are the subject of research or development, under any contract or agreement with the United States, or any department or agency thereof, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place so designated by the President by proclamation in time of war or in case of national emergency in which anything for the use of the Army, Navy, or Air Force is being prepared or constructed or stored, information as to which prohibited place the President has determined would be prejudicial to the national defense; or
- "(b) Whoever, for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts to copy, take, make, or obtain, any sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or
- "(c) Whoever, for the purpose aforesaid, receives or obtains or agrees or attempts to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts to receive or obtain it, that it has been or will be obtained, taken, made, or disposed of by any person contrary to the provisions of this chapter; or
- "(d) Whoever, lawfully having possession of, access to, control over, or being entrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, or information relating to the national defense which information the possessor has reason to believe could be used to the

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injury of the United States or to the advantage of any foreign nation, willfully communicates, delivers, transmits or causes to be communicated, delivered, or transmitted or attempts to communicate, deliver, transmit or cause to be communicated, delivered or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or

"(e) Whoever having unauthorized possession of, access to, or control over any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, or note relating to the national defense, or information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States or to the advantage of any foreign nation, willfully communicates, delivers, transmits or causes to be communicated, delivered, or transmitted, or attempts to communicate, deliver, transmit or cause to be communicated, delivered, or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it to the officer or employee of the United States entitled to receive it; or

"(f) Whoever, being entrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, note, or information, relating to the national defense, (1) through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, or (2) having knowledge that the same has been illegally removed from its proper place of custody or delivered to anyone in violation of his trust, or lost, or stolen, abstracted, or destroyed, and fails to make prompt report of such loss, theft, abstraction, or destruction to his superior officer shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

"(g) If two or more persons conspire to violate any of the foregoing provisions of this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be subject to the punishment provided for the offense which is the object of such conspiracy. June 25, 1948, c. 645, Section 1, 62 Stat. 736, amended Sept. 23, 1950, c. 1024, Section 18, 64 Stat. 1003."

(2) United States Code, Title 18, Crime and Criminal Procedure: "Section 794. Gathering or delivering defense information to aid foreign government

"(a) Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or

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attempts to communicate, deliver, or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, note, instrument, appliance, or information relating to the national defense, shall be imprisoned not more than twenty years.

"(b) Whoever violates subsection (a) in time of war shall be punished by death or by imprisonment for not more than thirty years.

"(c) Whoever, in time of war, with intent that the same shall be communicated to the enemy, collects, records, publishes, or communicates, or attempts to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense, which might be useful to the enemy, shall be punished by death or by imprisonment for not more than thirty years.

"(d) If two or more persons conspire to violate this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be subject to the punishment provided for the offense which is the object of such conspiracy. June 25, 1948, c. 645, 62 Stat. 737."

(3) United States Code, Title 18, Crimes and Criminal Procedure: "Section 798. Temporary extension of section 794

"The provisions of section 794 of this title, as amended and extended by section 1(a)(29) of the Emergency Powers Continuation Act (66 Stat. 333), as further amended by Public Law 12, Eighty-third Congress, in addition to coming into full force and effect in time of war shall remain in full force and effect until six months after the termination of the national emergency proclaimed by the President on December 16, 1950 (proc. 2912, 3 C.F.R., 1950 Supp., p 71), or such earlier date as may be prescribed by concurrent resolution of the Congress, and acts which would give rise to legal consequences and penalties under section 794 when performed during a state of war shall give rise to the same legal consequences and penalties when they are performed during the period above provided for. Added June 30, 1953, c. 175, section 4, 67 Stat. 133."

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4. RESPONSIBILITY

- a. The Assistant Director for Personnel is responsible for ensuring that all personnel processed through the Office of Personnel shall report to the Security Office for the purpose of reading and becoming familiar with the provisions of this Regulation prior to entrance on duty or separation from the Agency. Heads of [] installations are responsible for ensuring that all [] personnel who are not processed through headquarters and who are entering on duty or being separated read and become familiar with the provisions of this Regulation. 25X1A6A
- b. Any representative of CIA who is authorized by competent authority to negotiate with individuals or organizations for services shall ensure that the provisions of this Regulation are incorporated in the Secrecy Agreement and/or contract. These provisions may be incorporated by reference where feasible. (See Regulation No [] Secrecy Agreements.) 25X1A

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

L. K. WHITE
Acting Deputy Director
(Administration)

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